

Agenda Item 5

Knowledge Test Failures

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Falkirk Council

Subject: Knowledge test failures
Meeting: Civic Licensing Committee
Date: 16 January 2019
Author: Chief Governance Officer

1. Applications for the grant of a new taxi driver licence

Ms Lewis

- 1.1 Ms Lewis submitted an application for a new taxi driver licence on 28 September 2018. Her application must be considered before 27 June 2019. The applicant has failed to pass the knowledge test despite 4 attempts.
- 1.2 Ms Lewis was invited to sit the test on 11 October 2018 and she attained 70%. She was then invited on 1 November 2018 and attained 56%.
- 1.3 Ms Lewis was invited to sit the test on 8 November 2018 and she attained 73%. She was then invited to attend on 15 November and she attained 74%.
- 1.4 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that she has not passed the knowledge test.
- 1.5 The applicant has not been invited to sit a medical as yet.
- 1.6 Ms Lewis was notified in a letter of her failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained she could submit a letter in support of her application which would form part of this report. At the time of preparing this report no letter has been received

Mr Ferri

- 1.7 Mr Ferri submitted an application for a new taxi driver licence on 30 April 2018. His application must be considered before 29 January 2019. The applicant has failed to pass the knowledge test despite 2 attempts.
- 1.8 Mr Ferri was invited to sit the test on 30 May 2018 and attained 51%. Mr Ferri was then invited to attend on 14 June 2018 but was unable to attend. Mr Ferri was invited to sit the test on 28 June 2018 and attained 61%.

- 1.9 Mr Ferri was then invited to sit the test on 7 July 2018, 3, 22 and 30 August 2018 and was unable to attend on each occasion. He was then given a further opportunity to sit the test on 19 September 2018 and he contacted the licensing offices to advise that due to work commitments he was finding it difficult to attend for the test.
- 1.10 Mr Ferri was thereafter advised of the timescale within which his application would require to be considered and offered two test dates on 1 and 8 November 2018. No contact was made by him nor did he attend the tests.
- 1.11 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.12 The applicant has not been invited to sit a medical as yet.
- 1.13 Mr Ferri was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of her application which would form part of this report. At the time of preparing this report no letter has been received.

Mr Inglis

- 1.14 Mr Inglis submitted an application for a new taxi driver licence on 4 May 2018. His application must be considered before 3 February 2019. The applicant has failed to pass the knowledge test despite 3 attempts.
- 1.15 Mr Inglis was invited to sit the test on 30 May 2018 and he attained 63%. He was then invited on 14 June 2018 and attained 63%.
- 1.16 Mr Inglis was invited to sit the test on 28 June and 12 July but was unable to attend. He was then invited to attend on 23 August 2018 and he attained 71%.
- 1.17 Mr Inglis was then invited to attend on 6 and 20 September, 11 October, 1 and 15 November and 6 December 2018 and failed to attend on each occasion.
- 1.18 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.19 The applicant has not been invited to sit a medical as yet.
- 1.20 Mr Inglis was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. At the time of preparing this report no letter has been received

Ms Smith

- 1.21 Ms Smith submitted an application for a new taxi driver licence on 3 May 2018. Her application must be considered before 2 February 2019. The applicant has failed to pass the knowledge test despite 2 attempts.
- 1.22 Ms Smith was invited to sit the test on 30 May 2018 and she attained 56%. She was then invited to sit the test on 14 June and 5 July 2018 but was unable to attend. She was invited to attend on 19 July and attained 50%.
- 1.23 Ms Smith was then invited to sit the test on 2 August 2018 but was unable to attend. Ms Smith was then invited to sit the test on 27 September, 11 October, 1 and 22 November and 6 December 2018 and failed to attend on each occasion.
- 1.24 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that she has not passed the knowledge test.
- 1.25 The applicant has not been invited to sit a medical as yet.
- 1.26 Ms Smith was notified in a letter of her failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained she could submit a letter in support of her application which would form part of this report. At the time of preparing this report no letter has been received

Mr Nelson

- 1.27 Mr Nelson submitted an application for a new taxi driver licence on 11 May 2018. His application must be considered before 10 February 2019. The applicant has failed to pass the knowledge test despite 2 attempts.
- 1.28 Mr Nelson was invited to sit the test on 30 May 2018 and he attained 60%. He was then invited to attend on 21 June 2018 and attained 69%.
- 1.29 Mr Nelson was then invited to sit the test on 5 July, 2 and 23 August, 6 and 20 September, 4 October, 1 and 22 November and 6 December 2018 and failed to attend on each occasion.
- 1.30 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.31 The applicant has not been invited to sit a medical as yet.
- 1.32 Mr Nelson was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. At the time of preparing this report no letter has been received

2. Recommendations

It is recommended that Members consider the terms of the report.

The options available to the Members are:-

2.1

- (i) to refuse to grant the TAXI DRIVER licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions; or**
- (ii) to give the applicants a final opportunity to take and pass the knowledge test, and should the applicants fail the knowledge test, to authorise the Chief Governance Officer to refuse the applications without further reference to Committee in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions;**
- (iii) if Members are satisfied that there are other relevant circumstances that warrant a departure from policy, to instruct officers to arrange for the applicants to undertake a medical; and should they fail the medical to remit the matter back to Committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.**

Chief Governance Officer

Date: 7 January 2019

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501262)

LIST OF BACKGROUND PAPERS

None